FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.799 OF 2007 IN A.O. NO.436 OF 2003 WITH
CIVIL APPLICATION NO.800 OF 2007 IN A.O. NO.452 OF 2003 WITH
CIVIL APPLICATION NO.801 OF 2007 IN A.O. NO.449 OF 2003 WITH
CIVIL APPLICATION NO.802 OF 2007 IN A.O. NO.453 OF 2003 WITH
CIVIL APPLICATION NO.803 OF 2007 IN A.O.NO.455 OF 2003

Office Notes,Office Memoranda of Coram,appearances,Court's orders or directions and Registrar's orders | Court's or Judge's orders

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Mrs.S.A.Mudbidri for the applicants.
Mr.D.U.Singh i/b. L.J.Law for the respondents.

CORAM : S.A.BOBDE, J.

DATE : JULY 16, 2007.

1. Heard the learned counsel for the applicants-appellants and the respondents.

2. The appellants were restrained by an order of this Court dated 20.4.2004 from putting any third-party in possession of the building without leave of this Court. The learned counsel for the appellants states that that was because the respondents-tenants who had a better claim had not been put in possession. According to the learned counsel, now the respondents have been put in possession. This fact is not denied by the learned counsel for the respondents in all the appeals who, however, states that there

are some defects in the flats of which

they have been put in possession. That is another matter. The respondents shall be entitled to make such grievance in that regard as may be advised. However, the learned counsel for the respondents have not given any reason why the order restraining the appellants from putting third party in possession should not be lifted at this stage.

3. Accordingly, the Civil Applications are allowed in terms of prayer clause (a). The learned counsel for the appellants states that the appellants will look into the grievance as and when pointed out by the respondents and take steps to rectify it.

4. The Civil Applications stand disposed of.

S.A. BOBDE, J.